

### **REMARKS**

After entry of the amendment, claims 1, 2, 7-9 and 26 are pending. Claims 3-5 and 27 are cancelled without disclaimer or prejudice. The subject matter of claim 5 has been incorporated into claim 1. Claims 1 and 26 have been amended without prejudice or disclaimer and finds support *inter alia* in original claims 1 and 5. The amendments further narrow the scope of the independent claim and thus, do not present any new issues that require further consideration or search. No new matter has been added.

Applicants respectfully request entry of the above claim amendments as it is believed to put the claims in condition for allowance or, alternatively, in better form for consideration on appeal. Thus, entry under 37 CFR §1.116 is correct.

### **Claim Objections**

Claim 5 was objected to for depending on a rejected claim. The subject matter of claim 5 has been incorporated into claim 1 and claim 5 has been cancelled without disclaimer or prejudice. In light of the amendments, the objection is believed to be rendered moot. Reconsideration and withdrawal of the objection is respectfully requested.

### **Rejections under 35 U.S.C. § 112, first paragraph**

#### ***Written Description***

The Examiner rejected claim 27 for allegedly failing to comply with the written description requirement. Applicants respectfully disagree. However, in order to expedite prosecution, the claim 27 has been cancelled without disclaimer or prejudice. In light of the amendments, the rejection is believed to be rendered moot. Reconsideration and withdrawal of the rejection is respectfully requested.

#### ***Enablement***

The Examiner rejected claims 1-5, 7-9 and 26 for allegedly lacking an enabling disclosure. Although claim 5 is included in the rejected on page 3 of the Office Action, the Examiner indicated on the Office Action Summary sheet and on page 2 of the Office Action that claim 5 was only objected to and was not rejected. Accordingly, the rejection on page 3 of the Office Action is believed to be for claims 1-4, 7-9, and 26. Applicants respectfully disagree that

the claims are not enabled. However, in order to expedite prosecution, the claims have been amended without disclaimer or prejudice. The subject matter of claim 5 has been incorporated into claim 1 and accordingly, claim 5 has been cancelled without disclaimer or prejudice. Because claim 5 is not believed to be included in the rejection as indicated in the Office Action Summary and on page 2 of the Office Action and has been incorporated into claim 1, the rejection is believed to be rendered moot.

In light of the present amendment, it is respectfully submitted that the claims recite a scope of subject matter which a skilled artisan could clearly make and use according to the teaching in the specification. Reconsideration and withdrawal of this rejection is respectfully requested.


### **CONCLUSION**

For at least the above reasons, Applicants respectfully request withdrawal of the rejections and allowance of the claims. If any outstanding issues remain, the Examiner is invited to telephone the undersigned at the number given below.

Applicants reserve all rights to pursue the non-elected claims and subject matter in one or more divisional applications.

Applicants are submitting their response within the three-month period for responding to the Final Office Action to and including July 28, 2009. No fee is believed due. However, if a fee is due, the Director is hereby authorized to charge our Deposit Account No. 03-2775, under Order No. 13478-00001-US from which the undersigned is authorized to draw.

Respectfully submitted,

By   
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